

STATEMENT OF U.S. REPRESENTATIVE EDWARD J. MARKEY (D-MA)
INTRODUCTION OF THE JOSEPH MOAKLEY FIRE SAFE MEMORIAL CIGARETTE ACT
OF 2002
PRESS CONFERENCE
April 25, 2002

Today we stand together to pick up the torch – a “fire-safe” torch – that was carried so effectively over many years by our colleague Joe Moakley. The Joseph Moakley Memorial Fire Safe Cigarette Act of 2002 is the culmination of over 20 years of effort to make cigarettes fire-safe. I introduce this bill today with my Republican colleague in the House Rep. Jim Hansen (R-UT), the entire Massachusetts Delegation, and Senators Richard Durbin (D-IL) and Sam Brownback (R-KS.)

Joe first became involved with this issue when a family of seven perished in a fire in his Congressional District ignited by a cigarette. Five children --all under the age of ten--were burned to death along with their parents. This terrible event took place on Memorial Day Weekend in 1979.

For over twenty years Joe fought to give the CPSC authority to promulgate a fire safety standard for cigarettes. Because of Joe's relentless efforts, two technical bills passed into law laying the foundation for fire-safe cigarette legislation.

The first bill, the Federal Cigarette Safety Act of 1984, mandated the formation of a Technical Study Group, which ultimately established that it was technically and economically feasible to make a fire-resistant cigarette. This was an extremely important step providing Congress with proof that it was possible to create a cigarette that could be altered in such a way as to significantly reduce its tendency to catch fire. Prior to this report, the tobacco industry argued that the technology to make cigarettes fire-safe was not feasible and that the standard would render their products commercially unviable.

During this era, Joe recognized that the industry had successfully shifted the fire-resistance burden from cigarettes to mattresses, furniture and pajamas. As Joe liked to put it, the industry's solution was “to fire-proof the world against our torches.

The other important bill the Joe saw to passage was the Federal Safe Cigarette Act of 1990, which established the methodology for testing the ignition propensity of cigarettes. This methodology literally paved the way for New York to pass a fire-safe cigarette bill in 2000. And it set the stage for the establishment of the National Institutes of Standards and Technology fire-safe cigarette standard which is included in the bill introduced today.

What's more, there is already a fire-safe cigarette manufactured by Phillip Morris on the market. Tobacco companies once suspicious of a fire-safe cigarette standard are now coming around. In fact, Phillip Morris endorses the language in this bill, along with The Campaign for Tobacco Free Kids and The Congressional Fire Services Institute, The International Association of Fire Fighters and by SAFE – Safer America For Everyone. Each year thousands of innocent people are killed, maimed or permanently disfigured by carelessly discarded cigarettes. Under a typical cigarette fire scenario, the smoker falls asleep in bed or on a sofa with a burning cigarette, the ash smolders, then bursts into flames often in the middle of the night--a time when everyone is least prepared.

It is common knowledge that smoking is considered one of the nation's leading causes of preventable death, but it's less widely known that cigarettes are the leading cause of fatal fires. This translates to close to 1,000 deaths annually and nearly 2,400 injuries due to cigarette-caused fires. According to the Consumer Product Safety Commission (CPSC) these fires account for \$4.6 Billion annually in societal

costs and direct property damage. The victims of these fires aren't just smokers – all too often they are the innocent and unsuspecting. A child asleep in an upstairs bedroom, an elderly neighbor who lives next door, or a brave firefighter called to the scene. But the real tragedy in these lost lives is that these fires can be prevented.

The Joseph Moakley Fire Safe Memorial Cigarette Bill establishes a strong federal fire-safe cigarette standard by: Requiring the Consumer Product Safety Commission (CPSC) to establish the standard specified in the legislation, by which cigarettes could be regulated with respect to their propensity to start fires. Giving the Consumer Product Safety Commission authority over cigarettes only for purposes of implementing and enforcing compliance with the standard promulgated under the Act.

Allowing for the future establishment of an enhanced fire-safety standard. And allowing states to pass more stringent fire-safety standards for cigarettes if they choose.

Today Joe's tenacity is paying dividends. This country is closer than ever to making Joe's "torches" self-extinguishable, and the horror of cigarette-caused fires a tragedy of the past. On April 27th Joe Moakley would have celebrated his 75th birthday. Joe spent his entire career improving the lives of his constituents and fighting for important causes like this fire-safe cigarette standard – his spirit lives on in this legislation. I can think of no better birthday gift and no better way to honor his memory than to pass this fire-safe cigarette standard this year so that another 1000 lives won't be lost next year.

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